

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 10-00547 SI

Plaintiff,

**ORDER DENYING MOTION TO
VACATE DETENTION ORDER AND
ADMIT THE DEFENDANT ON BAIL**

v.

SAMUEL COHEN,

Defendant.

Defendant's motion to vacate the detention order and admit the defendant on bail came on for hearing before this Court on October 12, 2010. Defendant was represented by William J. Osterhoudt and Richard B. Mazer. The United States was represented by Assistant United States Attorney Jeffrey R. Finigan.


The Court has considered the defendant's motion and the supplement thereto, the reply, the declaration of William L. Osterhoudt and the attachment thereto (filed under seal), and the exhibits submitted in support of the motion to vacate. The Court has also considered the government's response, supplemental response, and declarations in support, as well as the Pretrial Service reports from the Central and Northern Districts of California and the record of the proceedings held before Magistrate Judge Nagel in the Central District of California.

For the reasons discussed in the hearing, the Court DENIES defendant's motion to vacate Magistrate Judge Nagel's detention order. The Court agrees with Judge Nagel and the conclusions of Pretrial Services in the Central and Northern Districts and finds that the history and characteristics of the defendant indicate a serious risk that he will flee; there are inadequate bail resources to mitigate the risk of flight given the defendant's ties outside the District, including his ties to Israel of which he

1 remains a citizen, and his alleged access to substantial funds in overseas financial institutions or through
2 his network of contacts outside the United States.

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4 **IT IS SO ORDERED.**

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6 Dated: October 19, 2010



SUSAN ILLSTON
United States District Judge